

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

FAWN VIGIL,

Defendant.

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No. 16 CR 290 MV

OPPOSED MOTION TO LEAVE HALFWAY HOUSE
(For Decision by Magistrate Judge Lynch)

FAWN VIGIL, through her undersigned counsel, moves this court for an Order Modifying the Conditions of Release to allow her to move from La Pasada Halfway House to return to her home in Dulce, New Mexico. As grounds for this request, counsel for Ms. Vigil states:

1. At Ms. Vigil's arraignment and detention hearing on February 5, this Court advised that it would consider allowing her to return home if she did well at La Pasada for 30 days. Ms. Vigil has been compliant with all pretrial supervision requirements and all La Pasada rules and conditions.

2. Probation has completed a home study at the family home where Ms. Vigil has resided with her family, and to which she proposes to return. Probation has approved the home as an appropriate residence.

3. Pursuant to 18 U.S.C. § 3142(b), Ms. Vigil is to be “subject to the least restrictive further condition, or combination of conditions, that such judicial officer determines will

reasonably assure the appearance of the person as required and the safety of any other person and the community.”

4. A home study has been conducted and the residence has been deemed appropriate. USPO John Lovato does not oppose the relief requested herein.

5. AUSA Joseph Spindle opposes the relief requested herein.

WHEREFORE Defendant Fawn Vigil respectfully requests the Court grant this motion and allow her to reside with her family in Dulce, New Mexico.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER
111 Lomas NW, Suite 501
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(505) 346-2489

[Electronically filed]
Kari Converse
Attorney for Ms. Vigil

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT on March 15, 2016, I filed the foregoing electronically through the CM/ECF system, which caused AUSA Joe Spindle to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

I FURTHER CERTIFY THAT on such date I served the foregoing by e-mail on the following non-CM/ECF Participants: John Lovato, USPO

[Electronically filed]
Kari Converse